UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,542	06/28/2001	Vernon Meadows	BLL-0036	6211

			EXAMINER
36192 7590 05/20/2004			ESCALANTE, OVIDIO

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 April 2004*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18,37-56 and 72-74* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18,37-56,72-74* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to applicant's amendment filed on March 1, 2004. **Claims 1-**

18,37-56,72-74 are now pending in the present application.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on March 1, 2001 has been entered.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1,3-17,37 and 39-55 are rejected under 35 U.S.C. 102(e) as being anticipated by

Speicher US Patent 6,502,077.

Regarding claim 1, Speicher teaches a method for providing a status certification (figs.

13 and 14; the status of the first voicemail message is provided by indicating the number of

replies associated with each first voicemail message) for a message (audiotext personal ad) in a

communications network (abstract; col. 12, lines 6-8; col. 15, lines 5-13) comprising:

assigning a message identifier (mailbox number) for said message, (col. 6, lines 17-32);

creating a first disposition identifier (AD_RESPONSE, RSP_MAILBOX_NUMBER) in

response to a first disposition event, (col. 11, lines 39-67);

associating said first disposition identifier with said message, (col. 11, lines 50-67);

receiving a request for a status notification of said message from a sender of said

message, (col. 15, lines 5-13);

compiling said message identifier and said first disposition identifier to generate a first

status notification, (col. 11, lines 39-col. 12, lines 5; col. 15, lines 5-13); and

providing said first status notification in response to said request, (col. 15, lines 5-13);

creating a second disposition identifier with said message, (col. 11, lines 39-55);

compiling said message identifier and said second disposition identifier to generate a

second status notification, (col. 11, line 39-col. 12, line 5); and

providing said second status notification to said sender, (col. 15, lines 5-13).

Regarding claim 3, Speicher, as applied to claim 1, teaches wherein said first and second

disposition events comprises at least one of: a managing event, (col. 15, lines 15-45); and a

dispatching event, (col. 11, lines 39-55).

Regarding claim 4, Speicher, as applied to claim 3, teaches wherein said managing event

comprises at least one of: accessing said message and presenting an indication of said message,

(col. 14, line 59-col. 15, lines 45).

Regarding claim 5, Speicher, as applied to claim 3, teaches wherein said managing event

comprises at least one of: denying said status certification of said message, (col. 15, lines 34-37).

Regarding claim 6, Speicher, as applied to claim 3, teaches wherein said dispatching

event comprises replying to said message, (col. 11, lines 39-55).

Regarding claim 7, Speicher, as applied to claim 1, teaches wherein said status notification comprises at least one of: an audio message and a text message, (col. 15, lines 5-37).

Regarding claim 8, Speicher, as applied to claim 1, teaches wherein said communications network comprises a telecommunications network and an electronic communications network, (fig. 1).

Regarding claim 9, Speicher, as applied to claim 1, teaches wherein said message identifier comprises an type identifier, (col. 6, lines 17-32).

Regarding claim 10, Speicher, as applied to claim 1, teaches wherein said message identifier comprises at least one of: a role identifier; a party identifier; a date identifier; and a time identifier, (fig. 2; col. 6, lines 17-32).

Regarding claim 11, Speicher, as applied to claim 10, teaches wherein said role identifier comprises at least one of: an originator; a sender; a caller and a recipient, (fig. 2; col. 6, lines 17-32).

Regarding claim 12, Speicher, as applied to claim 10, teaches wherein said party identifier comprises an access address, (fig. 2; col. 6, lines 17-32).

Regarding claim 13, Speicher, as applied to claim 1, teaches storing an attribute for said status certification for said message, wherein said attribute comprises at least one of: said message identifier; said first or second disposition identifier; and said first or second status notification, (col. 11, line 40-col. 12, line 5).

Regarding claim 14, Speicher, as applied to claim 13, teaches administrative functionality, wherein said administrative functionality comprises at least one of: monitoring said attribute and informing a recipient of said attribute, (col. 11, line 40-col. 12, line 5).

Regarding claim 15, Speicher, as applied to claim 1, teaches wherein said request comprises a secure request, (col. 14, line 47-col. 15, line 13).

Regarding claim 16, Speicher, as applied to claim 1, teaches wherein said request comprises dialing an access number, (col. 14, lines 47-66).

Regarding claim 17, Speicher, as applied to claim 1, teaches wherein said request comprises a hypertext transfer protocol request (HTTP) , (internet access inherently requires http requests since http is the standard protocol used for access web pages) directed to a uniform resource locator address (URL), (col. 15, lines 15-46).

Regarding claim 37, Speicher, teaches system for providing a status certification for a message (audio text personal ad) in a communications network (abstract; col. 12, lines 6-8; col. 15, lines 5-13) comprising:

a processor operative to assign a message identifier (mailbox number) for said message, (col. 6, lines 17-32);

said processor further operative to create a first disposition identifier (AD_RESPONSE, RSP_MAILBOX_NUMBER) in response to a first disposition event, (col. 11, lines 39-67);

said processor further operative to associate said first disposition identifier with said message, (col. 11, lines 50-67);

said processor further operative to receive a request for a status notification of said message from a sender of said message, (col. 15, lines 5-13);

said processor further operative to compile said message identifier and said first disposition identifier to generate a first status notification, (col. 11, line 39-co. 12, line 5; col. 15, lines 5-13); and

said process further operative to provide said first status notification to said sender in response to said request, (col. 15, lines 5-13);

said processor further operative to create a second disposition identifier in response to a second disposition event occurring subsequent to said first disposition event, (col. 11, lines 39-55);

said processor further operative to associated said second disposition identifier with said message, (col. 11, lines 39-55);

said processor further operative to compile said message identifier and said second disposition identifier to generate a second status notification, (col. 11, line 39-col. 12, line 5); and

said processor further operative to provide said second status notification to said sender, (figs. 13 and 14; col. 15, lines 5-13).

Regarding claim 39, Speicher, as applied to claim 37, teaches wherein said first and second disposition events comprises at least one of: a managing event, (col. 15, lines 15-45); and a dispatching event, (col. 11, lines 39-55).

Regarding claim 40, Speicher, as applied to claim 39, teaches wherein said managing event comprises at least one of: accessing said message and presenting an indication of said message, (col. 14, line 59-col. 15, line 45).

Regarding claim 41, Speicher, as applied to claim 39, teaches wherein said managing event comprises at least one of: denying said status certification of said message, (col. 15, lines 34-37).

Regarding claim 42, Speicher, as applied to claim 39, teaches wherein said dispatching event comprises replying to said message, (col. 11, lines 39-55).

Regarding claim 43, Speicher, as applied to claim 38, teaches wherein said status notification comprises at least one of: an audio message and a text message, (col. 15, lines 5-37).

Regarding claim 44, Speicher, as applied to claim 37, teaches wherein said communications network comprises a telecommunications network and an electronic communications network, (fig. 1).

Regarding claim 45, Speicher, as applied to claim 37, teaches wherein said message identifier comprises a type identifier; col. 6, lines 17-32).

Regarding claim 46, Speicher, as applied to claim 37, teaches wherein said message identifier comprises at least one of: a role identifier; a party identifier; a date identifier; and a time identifier, (fig. 2; col. 6, lines 17-32).

Regarding claim 47, Speicher, as applied to claim 46, teaches wherein said role identifier comprises at least one of: an originator; a sender; a caller and a recipient, (fig. 2; col. 6, lines 17-32).

Regarding claim 48, Speicher, as applied to claim 46, teaches wherein said party identifier comprises an access address, (fig. 2; col. , lines 17-32).

Regarding claim 49, Speicher, as applied to claim 37, teaches storing an attribute for said status certification for said message, wherein said attribute comprises at least one of: said message identifier; said first or second disposition identifier; and said first or second status notification, (col. 11, line 40-col. 12, line 5).

Regarding claim 50, Speicher, as applied to claim 49, teaches administrative functionality, wherein said administrative functionality comprises at least one of: monitoring said attribute and informing a recipient of said attribute, (col. 11, line 40-col. 12, line 5).

Regarding claim 51, Speicher, as applied to claim 37, teaches a data repository for storing at least one of said message, said message identifier, said first or second disposition identifier, and said report, (col. 11, lines 40-col. 2, line 5; fig. 1).

Regarding claim 52, Speicher, as applied to claim 51, teaches wherein said data repository comprises a database, (col. 11, lines 40-col. 2, line 5; fig. 1).

Regarding claim 53, Speicher, as applied to claim 51, teaches wherein said data repository comprises: a first database for storing said message; and a second database for storing said attribute, (col. 11, lines 40-col. 2, line 5; fig. 1).

Regarding claim 54, Speicher, as applied to claim 37, teaches wherein said request comprises a secure request, (col. 14, line 47-col. 15, line 13).

Regarding claim 55, Speicher, as applied to claim 37 teaches a network access device to issue said request, wherein said network access device comprises at least one of: a telephone and a computer, (fig. 1; col. 14, lines 47-col. 15, line 13).

Claim Rejections - 35 USC § 103

5.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6.   Claims 2 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Speicher in view of Creswell et al. US Patent 5,544,229.

Regarding claims 2 and 38, Speicher, as applied to claims1 and 37, does not specifically teach of billing a party to said message for said providing of said status certification.

Creswell teaches a method for providing status certification for a message system, (col.
12, lines 38-59; col. 13, lines 14-34). Creswell further teaches billing a party to said message for
said providing of said status certification, (col. 2, lines 10-21).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the
invention was made to modify the system of Speicher by including billing as taught by Speicher
so that the service provider can be paid for providing the personal ad service to its users.

7.   Claims 56 and 72-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Speicher in view of LaPorta et al. US Patent 6,014,429.

Regarding claim 56, Speicher, as applied to claim 37, does not teach wherein the
processor is within an intelligent peripheral and said network is an advanced intelligence
network.

LaPorta teaches that it was well known in the art to provide messaging services in an AIN
system, (col. 19, lines 52-67; fig. 2). LaPorta also teaches of providing message status
information to a message sender.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the
invention was made to modify the system of Speicher by using an AIN network system as taught
by LaPorta so that network components can communicate with each other with signaling
information instead of using in band channels. The Examiner notes that AIN networks are well-
known the art and one skilled in the art who have employed an AIN system into Hanson so that
voice in-band channels do not have to be used for signaling remote devices.

Regarding claim 72, Speicher in view of LaPorta, as applied to claim 56, teach a service
switching point (18, LaPorta) functionally connected to said intelligent peripheral; and an

interface functionally (two-way messaging network, LaPorta) connected to said service

switching point (18, LaPorta) and operative to accept a communication directed to said AIN,

(LaPorta). LaPorta, as applied above, teaches that it was well-known in the art and it would have

been obvious to use an AIN system.

Regarding claim 73, Speicher, as applied to claim 72, does not specifically teach of using

a MTSO functionally.

In the same field of endeavor, LaPorta teach a mobile telephone switching office (MTSO)

functionally connected to said interface and operative to facilitate a cellular device

communication directed to said AIN, (col. 17, lines 33-56, LaPorta).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Speicher by using a MTSO functionality so that wireless users

can communicate with the messaging network.

Regarding claim 74, Speicher in view of LaPorta, as applied to claim 72, teach a

computer network functionally connected to said interface and operative to facilitate a computer-

based communication directed to said AIN, (fig. 1; col. 15, lines 5-17; Speicher; fig. 2, LaPorta).

As stated above, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to modify the system of Speicher by using an AIN network system as

taught by LaPorta so that network components can communicate with each other with signaling

information instead of using in band channels. The Examiner notes that AIN networks are well-

known the art and one skilled in the art who have employed an AIN system into Hanson so that

voice in-band channels do not have to be used for signaling remote devices.

Response to Arguments

8.   Applicant's arguments with respect to claim **1-18,37-56,72-74** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9.   Any response to this action should be mailed to:

>   Commissioner for Patents
>
>   P.O. Box 1450
>
>   Alexandria, Virginia 22313-1450

or faxed to:

>   (703) 872-9306, (for formal communications intended for entry)

Or:

>   (703) 872-9306, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

>   Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is 703-308-6262. The examiner can normally be reached on M-F (6:30AM - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan S Tsang can be reached on 703-305-4895. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ovidio Escalante
Examiner
Group 2645   **OVIDIO ESCALANTE**
May 14, 2004   , **PATENT EXAMINER**